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PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Non-Fee Amendment, Commissioner of Patents, Washington, DC 20231.

Date

June 6, 2002

Stephanie Jansen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lawrence H. Thompson

Attorney Docket No.: 500731.01

Serial No. : 09/637,962

Group Art Unit : 1647

Filed : August 11, 2000

Examiner : Regina M. DeBerry

Title : THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

Box Non-Fee Amendment
Commissioner of Patents
Washington, DC 20231

AMENDMENT IN RESPONSE TO SPECIES ELECTION REQUIREMENT

Sir:

We are in receipt of the Office communication dated May 16, 2002. Please amend the application as follows.

In the Claims:

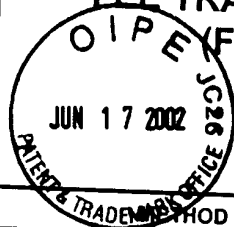
Please amend claim 66 as follows:

66. (Amended) A method of treating or preventing an anemic condition in a subject, comprising, administering a therapeutic amount of a recombinant erythropoietin produced in baby hamster kidney cells, wherein the amount of recombinant erythropoietin is selected to provide a therapeutic benefit within a treatment period, and wherein said subject is non-responsive or adversely effected by treatment with a therapeutic amount of Epoetin Alfa or Beta.

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M.90
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1647

FEE TRANSMITTAL SHEET
(FOR FY 2002)

Complete if Known

Application No. 09/637,962
Filing Date August 11, 2000
First Named Inventor Lawrence H. Thompson
Group Art Unit 1647
Examiner Regina M. DeBerry
Atty. Docket Number 500731.01

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METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. ☐ Check Enclosed

FEE CALCULATION

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - Late filing fee or oath	\$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For Filing a Request for Reexamination	\$
195	300	196	300	Publication (early or Republication)	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within 2 nd month	\$
117	920	217	460	Extension for reply within 3 rd month	\$
118	1,440	218	720	Extension for reply within 4 th month	\$
128	1,960	280	980	Extension for reply within 5 th month	\$
120	320	220	160	Filing a brief in support of an appeal	\$
121	280	270	140	Request for oral hearing	\$
148	110	248	55	Terminal Disclaimer Fee	\$
140	110	240	55	Petition to revive - unavoidable	\$
141	1,280	241	640	Petition to revive - unintentional	\$
142	1,280	242	640	Utility/Reissue issue fee (+ advance copies)	\$
143	460	243	230	Design issue fee (+ advance copies)	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	180	126	180	Submission of IDS	\$
581	40	81	40	Recording each patent assignment per property (times number of properties)	\$
179	740	279	370	Request for Continued Examination (RCE)	\$

Other fee (specify)

Subtotal (3) \$ 0

Total Amount of Payment: \$ 0

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
101	740	201	370	<input type="checkbox"/> Utility Filing Fee
106	330	206	165	<input type="checkbox"/> Design Filing Fee
108	740	208	370	<input type="checkbox"/> Reissue Filing Fee
114	160	214	80	<input type="checkbox"/> Provisional Filing Fee

Subtotal (1) \$ 0

2. EXTRA CLAIM FEES

Current Claims	Prior	Extra	Fee	Fee Paid
Total 24	- 116	= 0	x \$ 18	= \$ 0
Ind. 1	- 7	= 0	x \$ 84	= \$ 0
Multiple Dependent Claims		x	\$	\$

Subtotal (2) \$ 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent Claim
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

Submitted by:

Name: Mark W. Roberts, Ph.D.

Reg. No.: 46,160

Telephone: (206) 903-8728

Signature:

Date: 6/16/02